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**DEC 20 2005**

**OFFICE OF PETITIONS**

In re Application of

Christopher John Chuter	:	DECISION ON PETITION
Application No. 10/628,781	:	TO MAKE SPECIAL UNDER
Filed: July 28, 2003	:	37 CFR 1.102
Attorney Docket No. HESI.105897	:	

This is a decision on the petition under 37 CFR 1.102, filed July 28, 2003,<sup>1</sup> to make the above-identified application special as set forth in M.P.E.P. § 708.02.

The petition is **DISMISSED**.

The Office is unable to review the instant petition on its merits because the petition fails to identify on what grounds the petitioner is requesting to make special under 37 CFR 1.102 (a), (b), (c) or (d) and sections I-XII under MPEP 708.02. The conditions set forth in MPEP 708.02 include categories (I) Manufacture, (II) Infringement, (III) Health, (IV) Age, (V) Environmental Quality, (VI) Energy, (VII) Recombinant DNA, (VIII) Accelerated Examination, (IX) Superconductivity, (X) HIV/AIDS and Cancer, (XI) Countering Terrorism, and (XII) Biotechnology filed by Small Entities. Petitions to make special are accorded to applications meeting the requirements outlined in one of the categories as set forth in MPEP 708.02. Therefore, the petition is dismissed.

Further correspondence with respect to this matter should be addressed as follows:

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<sup>1</sup> The instant petition was only recently brought to the attention of the deciding official. The Office sincerely apologizes for the delay in replying to the instant petition and inconvenience caused petitioner by this delay.

By FAX: (571) 273-8300

Telephone inquiries concerning this decision should be directed to Wan Laymon at 571-272-3220.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to Technology Center AU 2676 for action in its regular turn.



Amelia Au  
Petitions Examiner  
Office of Petitions